

## **REMARKS**

In the Official Action, the Examiner rejected claims 1-27. Claims 9, 17 and 20 have been amended to set forth the recited subject matter more clearly. Reconsideration of the application as amended is respectfully requested.

### **Objections to the Oath/Declaration**

The Examiner objected to the Declaration as being defective under 37 C.F.R. § 1.63. Applicants assume that the Examiner's objections is based on the fact that the Declaration only identifies a residential address without further identifying a post office or mailing address. Applicants respectfully submit that under 37 C.F.R. § 1.63, Applicants are only required to identify separate residential and mailing addresses if the two addresses are different. In the present case, the mailing and residential addresses for each respective inventor are the same. Accordingly, only one address was provided. Because the Declaration includes all required information and a supplemental Oath or Declaration or an application data sheet would only provide duplicative data, Applicants respectfully assert that such submissions are unnecessary. However, if the Examiner maintains that the omission of the duplication on the original Declaration renders the Declaration defective, Applicants will provide an application data sheet or a supplemental Oath or Declaration, providing the address information in duplicate under each of the residential address and mailing address.

### **Objections to the Claims**

The Examiner objected to claims 9 and 17 based on inadvertent and/or typographical informalities. Claims 9 and 17 have been amended to correct the errors. Specifically, in claim 9, line 3, "ore" has been replaced by "or." In claim 17, line 4, "second" has been changed to "first." Applicants respectfully submit that these amendments are sufficient to overcome the Examiner's objections.

### **Rejections under 35 U.S.C. § 112**

The Examiner rejected claims 11 and 27 under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement. Specifically, the Examiner stated that the application does not refer to “uploading the one or more applications and associated drivers from the third to the first memory device” in the specification. Applicants have amended the specification to more clearly set forth the subject matter to which claims 11 and 27 are directed. Because the subject matter added to the specification was included in the original claims, Applicants respectfully submit that no new subject matter is being added by the amendment to the specification. Applicants respectfully assert that this amendment to the specification clarifies the subject matter recited in claims 11 and 27, and that the amendment is sufficient to overcome the rejections under 35 U.S.C. § 112, first paragraph.

### **Rejections under 35 U.S.C. § 102**

The Examiner rejected claims 1, 3, 4, 7-10, 13 and 20 under 35 U.S.C. § 102(e) as being anticipated by Ishikawa et al. (U.S. Pat. No. 6,266,711). With specific regard to independent claims 1 and 20, the Examiner stated:

Regarding claims 1 and 3, Ishikawa et al. teaches a method comprising: coupling an option pack to a main unit [Figure 2 and column 4, lines 5-10], the option pack comprising a first memory device [element 31 in Figure 2] configured to store one or more application and drivers associated with the one or more applications [column 4, line 66 - column 5, line 25 and column 10, lines 19-30], and a second memory device [element 31 in Figure 2] configured to store identification data [column 6, lines 1-24], the main unit comprising a device manager [control unit] configured to receive the identification data [communication service ID] from the second memory device [column 6, lines 1-24], a power supply [column 5, line 35], and a third memory [element 25 in Figure 2]; transmitting the identification data from the second memory device to the device manager [column 6, lines 1-24]; and downloading the one or more applications and associated drivers from the first memory device to the third memory device [column 8, lines 21-45].

Ishikawa et al. does not explicitly teach storing the identification data in a second memory device. However, it is inherent in the teachings of Ishikawa et al. that the identification data would have to be stored in a memory device located on the option pack, such as element 31 in Figure 2.

Regarding claim 20, Ishikawa et al. teaches method of connecting an option pack to a main unit comprising: Powering on the main unit [column 5, lines 35-37]; determining if there is an option pack coupled to the main unit [column 4, lines 5-10 and column 5, lines 63-67]; transmitting identification information from the option pack to the main unit [column 6, lines 1-24]; and downloading one or more software applications and associated drivers from the option pack to the main unit [column 8, lines 21-45].

Ishikawa et al. teaches sending a notification signal from a connector connection detecting unit when the option pack is connected to the main unit [column 5, lines 64-67], but does not specifically teach sending an interrupt signal to the control unit of the main unit. However it is inherent in the teachings of Ishikawa et al. that the notification signal is an interrupt type signal. The purpose of an interrupt signal is to command the control unit to stop immediately service the option pack once the option pack is connected to the main unit. Ishikawa et al. teaches that the control unit detects identification information immediately after it receives the notification signal [column 6, lines 1-24].

Applicant respectfully traverses these rejections. Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). To maintain a proper rejection under Section 102, a single reference must teach each and every element or step of the rejected claim. *Atlas Powder v. E.I. du Pont*, 750 F.2d 1569 (Fed. Cir. 1984). Thus, if the claims recite even one element not found in the cited reference, the reference does not anticipate the claimed invention.

Claim 1 recites an option pack comprising “a *first memory device* configured to store one or more applications and drivers associated with the one or more applications, and a *second memory*

*device* configured to store identification data.” (Emphasis added). Accordingly, the recited option pack includes a first memory device *and* a second memory device, each configured to store different types of information.

In the Office Action, the Examiner cites the program memory 31 on the communication modem 11 in the Ishikawa reference as both the first memory device and the second memory device recited in claim 1. Applicants respectfully submit that the rejection is improper. Applicants assert that the Examiner has failed to appreciate certain advantages that may be realized through the presently recited structure. For example, by storing applications and drivers on a first memory device and storing identification data on a second, independent memory device, the option pack can be configured such that the devices are utilized on different buses, as illustrated in Fig. 3-5 and described in the specification with reference thereto. Accordingly, as described in various embodiments throughout the present specification, certain advantages may be realized in a system having a first memory device for storing applications and drivers and having a second, independent memory device, for storing identification data. Applicants respectfully submit that by correlating each of the recited first memory device and second memory device with the program memory 31 disclosed in Ishikawa, the Examiner has essentially removed one of the novel aspects recited in the present claims.

Because the Ishikawa reference fails to disclose each and every element of claim 1, the Ishikawa reference cannot possibly anticipate the recited subject matter. Specifically, as discussed above, the Ishikawa reference does not disclose “a *first memory device* configured to store one or more applications and drivers associated with the one or more applications, and a *second memory device* configured to store identification data,” as recited in claim 1. (Emphasis added). Accordingly, Applicants respectfully request withdrawal of the Examiner's rejection and allowance of claims 1, 3, 4, 7-10 and 13.

Claim 20 has been amended to recite “transmitting identification information from a first memory device on the option pack to the main unit,” and “downloading one or more software applications and associated drivers from a second memory device on the option pack to the main unit.” As discussed in detail above, the Ishikawa reference does not disclose independent memory devices for storing the identification information and the applications and drivers. Accordingly, the Ishikawa reference cannot possibly disclose transmitting identification information from the first memory device and downloading the applications and drivers from a second memory device on the option pack, as recited in claim 20. Accordingly, and for the reasons set forth above with respect to independent claim 1, Applicants respectfully submit that independent claim 20 is also allowable. Applicants respectfully request withdrawal of the Examiner's rejection and allowance of claim 20.

#### **Rejections under 35 U.S.C. § 103**

The Examiner rejected dependent claims 2, 5, 6, 14-19 and 21-25 under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa et al. (U.S. Pat. No. 6,266,711). Applicants respectfully traverse this assertion for the reasons discussed above with reference to the deficiencies of the Ishikawa reference as applied to claims 1 and 20. Accordingly, based on the allowability of claims 1 and 20, all claims dependent thereon are also allowable. However, Applicants would like to specifically address two of the Examiner's rejections. With regard to claims 16, 18, 22 and 23, the Examiner stated:

It is well known in the art to determine if a power supply can provide enough power to perform a function before attempting to perform that function and notifying a user accordingly.

Further, with regard to claims 17, 19, 24 and 25, the Examiner stated:

It is well known in the art to determine if a memory has enough capacity to store a collection of data before attempting to write the collection of data to the memory.

Applicants respectfully traverse these rejection. The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining or modifying the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination or modification. *See ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985).

As discussed above, it is clear that the Ishikawa reference does not disclose a first memory device and a second memory device as recited in independent claims 1 and 20. In addition, it is also clear that the Ishikawa reference does not disclose “determining whether the power supply in the main unit has enough power to activate the option pack fully,” or “determining whether the third memory device on the main unit has enough memory capacity to receive the applications and associated drivers stored on the first memory device of the option pack.” The Examiner appears to concede that the Ishikawa reference does not disclose such features and appears to be taking Official Notice that such features are well known in the art. If however, the Examiner is asserting that these features are in fact disclosed by the Ishikawa reference, Applicants respectfully remind the Examiner of his duties and obligations under 37 C.F.R. § 1.104 and MPEP § 707.07 and request that the Examiner clarify his rejection and specifically cite the presently recited features in a future non-final Office Action.

In the alternative, if the Examiner is taking Official Notice of what is “well known in the art,” Applicants respectfully request that the Examiner provide support under MPEP § 2144.03. It is apparent in the rejection of the claims that the Examiner has made a significant logical leap from the actual teachings of the reference to summarily declare the recited claims obvious without proper support in the cited art. Therefore, in accordance with MPEP § 2144.03, Applicants hereby seasonably traverse and challenge the Examiner’s use of Official Notice. Specifically, Applicants respectfully request that the Examiner produce evidence in support of his position as soon as practicable during prosecution of the present application.

Indeed, among other things, Applicants respectfully assert that contrary to the Examiner's statements, determining whether a power supply on the main unit has enough power to fully activate the option pack before fully activating the option pack is not well known in the art. Further, Applicants respectfully submit that determining whether a memory device on the main unit has enough memory capacity to receive the applications and associated drivers stored on the option pack before attempting to download the applications and drivers on to the main unit is not well known in the art. To the contrary, it would appear that even if the Ishikawa reference discloses a mechanism for downloading applications from an option pack to a main unit, the applications are downloaded without any memory or power checks occurring subsequently.

Accordingly, because the cited reference does not disclose all of the features recited in the respective independent claims, much less the additionally recited features of the dependent claims, claims 2, 5, 6, 14-19 and 21-25 are not rendered obvious by the Ishikawa reference. Accordingly, Applicants respectfully request withdrawal of the Examiner's rejection and allowance of claims 2, 5, 6, 14-19 and 21-25.

The Examiner rejected claims 12 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Ishikawa et al. in view of Maeda (U.S. Pat. No. 6,557,033). Specifically, with regard to independent claim 26, the Examiner stated:

Ishikawa et al. and Maeda teach a method of connecting an option pack to a main unit, downloading drivers and applications from the option pack to the main unit, separating the option pack from the main unit and deleting the drivers and applications from the main unit's memory, as described above. Furthermore, it is inherent in the teachings of Ishikawa et al. and Maeda that a connection presence notification signal would be de-activated when the option pack is no longer connected to the main unit, since the notification signal reflects the presence of a connection between the main unit and the option pack. Disabling control buffers and terminating the functionality of the downloaded applications is also inherent in the teachings of Ishikawa et al. and Maeda. Any kind of control buffer or application used in the interactions between the main unit and the option pack is no longer needed if the option pack is no longer interacting with the main unit.

Applicants respectfully traverse this rejection. Claim 26 recites, among other things, "removing the one or more applications and associated drivers from the main unit." The Examiner did not specifically cite a passage in either of the cited references as disclosing "removing the one or more applications and associated drivers from the main unit." Indeed, Applicants respectfully submit that neither of the cited references disclose such an act. The Examiner stated "any kind of control buffer or application used in the interaction between the main unit and the option pack is no longer needed if the option pack is no longer interacting with the main unit." While this may be true, Applicants respectfully submit that this point does not have direct bearing on the recited act of removing the applications from the main unit and that neither of the cited references disclose such. If the Examiner chooses to maintain this rejection, Applicants respectfully request that the Examiner clarify his rejection and specifically direct Applicants to the appropriate disclosure in the cited references in accordance with his duties and obligations under 37 C.F.R. § 1.104 and MPEP §707.07 such that a proper response can be made.



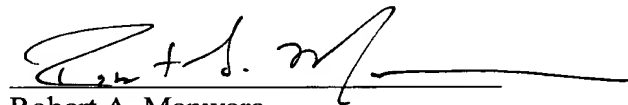
Because the cited references fail to disclose each of the elements recited in the independent claims, the references cannot possibly render the claimed subject matter obvious. Accordingly, Applicants respectfully request withdrawal of the Examiner's rejection and allowance of claims 12 and 26.

**Conclusion**

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of claims 1-27. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone listed below.

Respectfully submitted,

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